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OFFICE OF PETITIONS

In re Application of :
Pachon et al. :
Application No. 10/062099 :
Filing or 371(c) Date: 01/31/2002 :
Attorney Docket Number: :
CA108US : **ON PETITION**

This is a decision on the "Communication - Request for Withdrawal of Notice of Abandonment," filed January 3, 2007. The petition is properly treated under 37 CFR 1.181(a). The delay in treating this petition is regretted.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed May 25, 2006. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No response having been received, the application became abandoned on August 26, 2006. A Notice of Abandonment was mailed December 13, 2006.

Applicant's Assertion

Applicant files the instant petition and asserts that a timely response to the Office action including an amendment and a three (3) month extension of time, were filed on November 27, 2006. In support of this assertion, Applicant files a copy of the response, along with a copy of an Auto-Reply Facsimile Transmission report from this Office acknowledging receipt of 14 pages from petitioner on November 27, 2006.

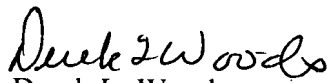
A review of office records also reveals that the response to the Office action was received by this Office on November 27, 2006.

In view of the foregoing, the petition is granted. Accord, 37 CFR 1.6(a)(1). The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 3623 for processing of the Amendment, filed on November 27, 2006, and for further examination in the normal course of business.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

A handwritten signature in black ink, appearing to read "Derek L. Woods". The signature is fluid and cursive, with the first name "Derek" and last name "Woods" clearly distinguishable.

Derek L. Woods
Attorney
Office of Petitions